

AUG. 16, 2004 12:27PM

ANDERSON KILL OLICK P. C.

RECEIVED  
CENTRAL FAX CENTER NO. 9119 P. 3  
AUG 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

HITOMI, et al

GROUP: 1653

SERIAL NO.: 09/910,208

EXAMINER: MAYES, Laurie A

FILED: JULY 20, 2001

FOR: NOVEL CALCIUM-BINDING PROTEINS

RESPONSE

Assistant Commissioner of Patents  
& Trademarks  
Washington, DC 20231

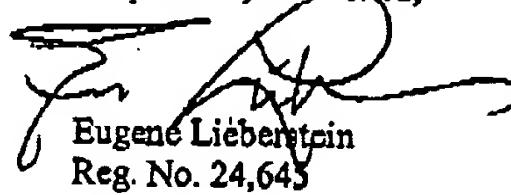
SIR:

This is in response to the Office Communication dated April 18, 2003.  
Please charge any requisite fees to Deposit Account 01-1944.

In response to the Restriction Requirement under 35 USC 121 applicant  
does not wish to change the election of Group II, now Group III inclusive of claims 18 -  
24 drawn to an antibody and an assay method using an antibody.

Applicant further acknowledges that original Group I has been subdivided into Groups I and II. Accordingly, applicant reserves the right to file a divisional application directed to Group I and/or Group II inclusive of claims 1 - 17.

Respectfully submitted,

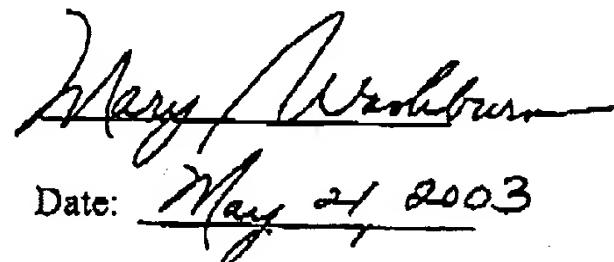


Eugene Lieberstein  
Reg. No. 24,643

ANDERSON, KILL & OLICK  
1251 Avenue of the Americas  
New York, New York 10020-1182  
(212) 278-1000

#### MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner of Patents & Trademarks, Washington, DC 20231 on May 21, 2003.



Mary A. Washburn  
Date: May 21 2003